

REMARKS

I. Introduction

In response to the Office Action dated January 28, 2010, claims 1, 19 and 37 have been amended. Claims 1, 3-9, 11-19, 21-27, 29-37, 39-45 and 47-54 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Rejections under 35 U.S.C. §112

On page 2 of the Office Action, claims 1, 3-9, 11-19, 21-27, 29-37, 39-45, and 47-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claims 1, 3-9, 11-19, 21-27, 29-37, 39-45, and 47-54 recite the limitation “for each forecast period,” and the Office Action asserts that there is insufficient antecedent basis for this limitation in the claim.

Applicant’s attorney has amended the claims as indicated above to overcome these rejections.

On pages 2-3 of the Office Action, claims 1, 3-9, 11-19, 21-27, 29-37, 39-45, and 47-54 are rejected under 35 U.S.C. 112, sixth paragraph, as the claim limitation “the step of applying the NPV attrition rules” uses the phrase “means for” or “step for”, but it is modified by some structure, material, or acts recited in the claim, and the Office Action asserts that it is unclear whether the recited structure, material, or acts are sufficient for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph.

Applicant’s attorney has amended the claims as indicated above to overcome these rejections.

III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant’s undersigned attorney.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge all fees to Deposit Account No. 50-4370 of Teradata Corporation (the assignee of the present application).

Respectfully submitted,

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